

Report To:	General Purposes Board	Date:	13 May 2015
Report By:	Head of Legal and Property Services	Report No:	LP/077/15
Contact Officer:	Christine Marshall Legal Services	Contact No:	01475 712314
Subject:	Civic Government (Scotland) Act 1982 Application for Multi-Access General Hire Taxi Licence John McCafferty		

1.0 PURPOSE

- 1.1 The purpose of this report is to consider an application submitted by John McCafferty on 19 December 2014 for a Taxi Licence which would make available to the public a vehicle specially adapted for use by the disabled.
- 1.2 In terms of the Civic Government (Scotland) Act 1982 this application requires to be decided upon within six months of the date of the application. Therefore a decision requires to be made no later than 19th June 2015.

2.0 SUMMARY

- 2.1 There are no objections from the Chief Constable, Police Scotland to the application.
- 2.2 The Board may wish to note that the Council currently issues twenty licences with the compulsory condition that a wheelchair accessible vehicle is operational on the licence. At the point of preparing this report there are 19 vehicles operating under those licences. The remaining one licence holder must have a vehicle operational by 17 July 2015 in accordance with the three month time restriction on having a vehicle operational on the licence, as previously approved by the Board.
- 2.3 The applicant was given the opportunity in terms of the Act to make representations in writing, but to date no response has been received.
- 2.4 The applicant has also been advised that he may be present or represented at this meeting to be heard in support of his application should the Board decide to hear him.

3.0 RECOMMENDATIONS

- 3.1 The Board are asked to decide whether or not they wish to hear John McCafferty in support of his application.
- 3.2 The Board are asked to determine the application and consider whether or not to grant a licence to John McCafferty.

4.0 BACKGROUND

- 4.1 Previous applications for specially adapted vehicles have been refused on the basis that there was no evidence of an unmet demand for wheelchair accessible vehicles operated as taxis.
- 4.2 At its meeting on 8 April 2009 the Board authorised the Head of Legal and Administration to issue tenders for a taxi demand survey. The purpose of the report was to examine the extent to which the demand for taxis, both general taxis and taxis adapted for the disabled, is currently being met. Following a tendering exercise the contract was awarded to Fraser of Allander Institute. The Institute carried out a survey of demand and its report was considered by the Board on 11 November 2009.
- 4.3 The conclusion of the report was that there was no unmet demand for taxis and this was noted. The Board decided it would have regard to that report in considering applications for Taxi Licences.

5.0 IMPLICATIONS

Finance

5.1 There are no financial implications

Legal

5.2 Mr McCafferty has recourse to the Sheriff Court in the event he wishes to appeal any decision of the Board.

Human Resources

5.3 There are no Human Resources implications.

Equalities

5.4 There are no equalities implications.

Repopulation

5.5 There are no repopulation implications.